

EXHIBIT 7

Mark Carlson  
2/22/2018

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CRYSTAL LONG,

\*

Plaintiff,

\*

vs.

\* Case No.:

\* 8:17-CV-1955-GJH

PENDRICK CAPITAL

\*

PARTNERS II, LLC, et al.,

\*

Defendants.

\*

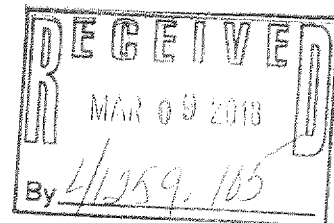
\* \* \* \* \*

The deposition of MARK CARLSON took place on Thursday, February 22, 2018, beginning at 10:02 a.m., at the Law Offices of Marshall, Dennehey, Warner, Coleman & Goggin, 50 Glenmaura National Boulevard, Moosic, Pennsylvania, before Christine A. Messner, Court Stenographer and Notary Public in and for the State of Pennsylvania.

\* \* \* \* \*

Reported by:

Christine A. Messner



<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2 On behalf of the Plaintiff:</p> <p>3 INGMAR GOLDSON, ESQUIRE</p> <p>4 The Goldson Law Office</p> <p>5 1734 Elton Road, Suite 210</p> <p>6 Silver Spring, Maryland 20903</p> <p>7 240-780-8829</p> <p>8 igoldson@goldsonlawoffice.com</p> <p>9</p> <p>10 On behalf of the Defendant Ability Recovery Services:</p> <p>11 RONALD M. METCHO, ESQUIRE</p> <p>12 Marshall, Dennehey, Warner, Coleman &amp; Goggin</p> <p>13 2000 Market Street, Suite 2300</p> <p>14 Philadelphia, Pennsylvania 19103</p> <p>15 215-575-2595</p> <p>16 rmmetcho@mdwcg.com</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>	<p style="text-align: right;">Page 4</p> <p>1 PROCEEDINGS</p> <p>2</p> <p>3 STIPULATIONS</p> <p>4</p> <p>5 It was agreed by and between counsel that all</p> <p>6 objections, except as to the form of the question,</p> <p>7 will be reserved until the time of trial.</p> <p>8 It was further agreed that the sealing and</p> <p>9 filing of the deposition transcript will be waived.</p> <p>10</p> <p>11 Whereupon --</p> <p>12 MARK CARLSON was called, and having been</p> <p>13 duly sworn, was examined and testified as follows:</p> <p>14</p> <p>15 EXAMINATION BY MR. GOLDSON:</p> <p>16 Q. Hi, Mark.</p> <p>17 A. Good morning.</p> <p>18 Q. Good morning. Can you just state your</p> <p>19 name and address for the record?</p> <p>20 A. Sure. Mark Carlson; 168 York Avenue,</p> <p>21 Duryea, PA 18642.</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX</p> <p>2 DEPOSITION OF MARK CARLSON</p> <p>3 February 22, 2018</p> <p>4 EXAMINATION BY: PAGE:</p> <p>5 Mr. Goldson .....4</p> <p>6 Mr. Metcho .....30</p> <p>7</p> <p>8 EXHIBIT: DESCRIPTION: PAGE:</p> <p>9</p> <p>10 1 Data Master program information .....18</p> <p>11 2 Debtor history report .....19</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>	<p style="text-align: right;">Page 5</p> <p>1 Q. Thank you. Mark, have you ever been</p> <p>2 deposed before?</p> <p>3 A. No.</p> <p>4 Q. Just a few baseline rules and</p> <p>5 Mr. Metcho can add to this if you want to.</p> <p>6 MR. METCHO: Sure.</p> <p>7 BY MR. GOLDSON:</p> <p>8 Q. But I'm just going to ask that you</p> <p>9 allow me to finish my questions and if you start an</p> <p>10 answer, I'll allow you to finish your answer.</p> <p>11 A. Perfect.</p> <p>12 Q. Please respond verbally because our</p> <p>13 court reporter can't pick up head nods and other body</p> <p>14 movements. If you don't understand a question,</p> <p>15 please ask me to clarify rather than, you know, start</p> <p>16 an answer.</p> <p>17 A. Okay.</p> <p>18 Q. -- start answering a question that you</p> <p>19 don't fully understand.</p> <p>20 MR. GOLDSON: Okay. Anything</p> <p>21 else?</p>

<p style="text-align: right;">Page 6</p> <p>1 MR. METCHO: The only thing I</p> <p>2 would add -- thank you for the</p> <p>3 opportunity to do that -- any</p> <p>4 conversations that you and I have had</p> <p>5 are protected by the attorney/client</p> <p>6 privilege. So if Mr. Goldson asks a</p> <p>7 question regarding something we have</p> <p>8 discussed in preparation for this</p> <p>9 deposition for instance, that's</p> <p>10 protected so you do not have to answer</p> <p>11 that question. And if that comes up,</p> <p>12 I'll make sure to notify both opposing</p> <p>13 counsel and yourself that that may be an</p> <p>14 issue.</p> <p>15 THE WITNESS: Certainly.</p> <p>16 BY MR. GOLDSON:</p> <p>17 Q. All right. Mr. Carlson, first I would</p> <p>18 like to go over your educational background. What's</p> <p>19 the highest level of education you obtained?</p> <p>20 A. I completed some college.</p> <p>21 Q. Some college?</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. Is your title just supervisor?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. When did you become supervisor?</p> <p>4 A. Monday. February, help me, what is the</p> <p>5 date, just this week.</p> <p>6 Q. I would like to congratulate you on</p> <p>7 that.</p> <p>8 A. Thank you.</p> <p>9 MR. METCHO: That would be the</p> <p>10 21st, right?</p> <p>11 MR. GOLDSON: No, the 20th.</p> <p>12 THE WITNESS: 23rd is Friday.</p> <p>13 BY MR. GOLDSON:</p> <p>14 Q. Nineteenth?</p> <p>15 A. Nineteenth, there we go.</p> <p>16 MR. METCHO: It's been a long</p> <p>17 week.</p> <p>18 THE WITNESS: You're right.</p> <p>19 BY MR. GOLDSON:</p> <p>20 Q. What were you before a supervisor?</p> <p>21 What was your position?</p>
<p style="text-align: right;">Page 7</p> <p>1 A. Yes.</p> <p>2 Q. Where did you go to college?</p> <p>3 A. Lackawanna Area and Harrisburg Area</p> <p>4 Community College.</p> <p>5 Q. Okay. What did you study?</p> <p>6 A. Business management.</p> <p>7 Q. Business management. And do you</p> <p>8 currently work at Ability Recovery Services?</p> <p>9 A. Yes, I do.</p> <p>10 Q. How long have you worked there?</p> <p>11 A. I worked since August of 2016, August</p> <p>12 2nd to be exact.</p> <p>13 Q. Okay. Are you on salary?</p> <p>14 A. No.</p> <p>15 Q. You get an hourly wage there?</p> <p>16 A. I do.</p> <p>17 Q. Okay. What is your hourly wage?</p> <p>18 A. Currently it is \$12 per hour.</p> <p>19 Q. What is your position?</p> <p>20 A. I am now a supervisor at Ability</p> <p>21 Recovery Services.</p>	<p style="text-align: right;">Page 9</p> <p>1 A. I was a collector.</p> <p>2 Q. Collector. And when you started in</p> <p>3 August 2016 were you a collector?</p> <p>4 A. Yes.</p> <p>5 Q. So let's go back to when you were a</p> <p>6 collector because that's more relevant to the</p> <p>7 complaint at issue here.</p> <p>8 A. Sure.</p> <p>9 Q. When you were a collector, did you</p> <p>10 answer telephones when consumers or when people</p> <p>11 called ARS --</p> <p>12 A. Yes.</p> <p>13 Q. -- Ability Recovery Services?</p> <p>14 A. Yes.</p> <p>15 Q. About how many calls would you answer a</p> <p>16 day?</p> <p>17 A. Off the top of my head, I would have to</p> <p>18 assume about 200.</p> <p>19 Q. That's impressive. Did you make calls</p> <p>20 as well?</p> <p>21 A. Yes.</p>

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1 **Q. About how many calls would you make a**  
2 **day?**

3 A. My answer would have been collective,  
4 so somewhere around the neighborhood of 200 calls  
5 collectively, receiving and making.

6 **Q. Okay. And would you say there's about**  
7 **an equal amount of calls made or?**

8 A. If I were to do the split, probably  
9 more outbound calls than inbound calls.

10 **Q. How do you place the telephone calls?**  
11 **Do you use a telephone or does a computer make the**  
12 **call for you?**

13 A. The computer generates which has the  
14 necessary data. There is phone numbers in each field  
15 that identifies each specific debtor that allows me  
16 to select which phone number to utilize to best  
17 possibly get ahold of that individual.

18 **Q. Okay. Is that the same computer**  
19 **program that you use to pull up an account when**  
20 **somebody calls Ability Recovery Services?**

21 A. Same system.

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1 **Master will read the telephone number and**  
2 **automatically populate an account?**

3 A. If the account phone number identifies  
4 a number in our database, that information will  
5 populate.

6 **Q. Okay. Do you use any other computer**  
7 **programs to access consumer account information?**

8 A. No.

9 **Q. When a consumer calls and the account**  
10 **is pulled up and on the computer system, whether**  
11 **automatically or whether you pull it up yourself,**  
12 **what information is available to you?**

13 MR. METCHO: I'm going to object  
14 to the form of the question, but you can  
15 answer it if you are able.

16 THE WITNESS: Once again please  
17 repeat.

18 BY MR. GOLDSON:

19 **Q. When you pull up an account or when an**  
20 **account is pulled up automatically, what information**  
21 **is available to you about the consumer?**

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1 **Q. Same system?**

2 A. Yes, sir.

3 **Q. What's the name of that computer**  
4 **program?**

5 A. The Debt Master.

6 **Q. So just to clarify when somebody calls,**  
7 **you pull up their account using the Debt Master**  
8 **computer program?**

9 MR. METCHO: I'm going to object  
10 to the form of the question. You can  
11 answer if you are able.

12 THE WITNESS: Can you repeat the  
13 question just for clarity?

14 BY MR. GOLDSON:

15 **Q. Yeah. When a person calls Ability**  
16 **Recovery Services, is it your testimony that you will**  
17 **pull up their account using the Debt Master computer**  
18 **system?**

19 A. That information typically populates on  
20 my screen.

21 **Q. Okay. So when somebody calls, Debt**

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1 A. Their address, their name, phone number  
2 utilized. There may be a variety of phone numbers  
3 within the system depending on the effectiveness of  
4 the skip tracing system that's used. What  
5 information is available, well, for some fields may  
6 show Social Security numbers, phone numbers, date of  
7 births.

8 **Q. Do you know where that information**  
9 **comes from?**

10 A. No.

11 **Q. Where Ability gets that information?**

12 A. I am not.

13 **Q. You just referenced skip tracing, can**  
14 **you explain how Ability skip traces?**

15 A. I have no idea.

16 **Q. But it's your testimony that some of**  
17 **the information that is populated in that program**  
18 **comes from skip tracing?**

19 A. I've heard that terminology utilized  
20 within our field. That information is provided by a  
21 client or provided by a service that is used to

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1 identify consumer information.

2 **Q. Do you have -- do you know what that**  
3 **service is?**

4 A. No.

5 **Q. Okay. At this time I'm going to play**  
6 **an audio clip.**

7 A. Sure.

8 **Q. It's a clip that Ability Recovery**  
9 **Services sent the plaintiff that is purportedly you**  
10 **answering a call from the plaintiff in this case**  
11 **Crystal Long. I'm only going to play it for**  
12 **identification purposes so you can identify whether**  
13 **or not it's you and that's it. So I'll play ten**  
14 **seconds and we'll see if you can identify that is you**  
15 **on the call.**

16 A. Sure.

17 (Whereupon an audio clip was  
18 played to the witness.)

19 BY MR. GOLDSON:

20 **Q. I saw you nod your head, that is you?**

21 A. That is me.

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1 **it's some other program?**

2 A. I have no idea.

3 **Q. So can you start recording?**

4 A. No.

5 **Q. Can you stop recording?**

6 A. No.

7 **Q. Do you know whether or not Ability**  
8 **Recovery Services has the ability to edit a call**  
9 **after -- edit a recording after a call is completed?**

10 MR. METCHO: I'm going to object  
11 to the form, but you can answer the  
12 question.

13 THE WITNESS: I've never heard of  
14 that.

15 BY MR. GOLDSON:

16 **Q. So is that a no?**

17 A. That would be a no, my knowledge, no.

18 MR. GOLDSON: Counsel, I have an  
19 extra copy of this if you want it.

20 MR. METCHO: I would like to see  
21 it. Mr. Goldson, this is the

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1 **Q. Thank you. I'm going to get that out**  
2 **of the way so my computer doesn't die here. All**  
3 **right. When you pick up a call, is that call**  
4 **automatically recorded?**

5 A. By answering that, I make the  
6 assumption yes --

7 **Q. Okay.**

8 A. -- because I'm never given audio  
9 information. But we advise when anybody calls in  
10 that the call may be monitored or recorded.

11 **Q. Okay.**

12 A. And that's part of a mini Miranda that  
13 we utilize.

14 **Q. Okay. I think you might have partially**  
15 **answered this next question. Do you know how the**  
16 **call is being recorded?**

17 A. Do I know how?

18 **Q. Yeah.**

19 A. In what sense?

20 **Q. For instance, do you know if it's the**  
21 **Debt Master computer program that's recording or if**

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1 documentation that was provided in  
2 discovery responses that came from  
3 Pendrick, correct?

4 MR. GOLDSON: Ability actually  
5 sent that.

6 MR. METCHO: Ability sent it, but  
7 it was Pendrick's document that was sent  
8 to Ability?

9 MR. GOLDSON: I have no --

10 MR. METCHO: I recognize the  
11 document, that's okay.

12 THE WITNESS: Is this for me?

13 BY MR. GOLDSON:

14 **Q. Yes. Do you recognize that?**

15 A. In paper format, no.

16 **Q. Do you recognize it in any other**  
17 **format?**

18 A. No. I've just never seen this  
19 utilized.

20 **Q. Okay.**

21 A. No.

<p style="text-align: right;">Page 18</p> <p>1       <b>Q.</b> Thank you.</p> <p>2       MR. GOLDSON: We would like to</p> <p>3       mark that as a multipage exhibit.</p> <p>4       (Whereupon Exhibit 1 was marked</p> <p>5       for identification.)</p> <p>6       BY MR. GOLDSON:</p> <p>7       <b>Q.</b> Mr. Carlson, do you recognize that</p> <p>8       document?</p> <p>9       A. Paper version of what I would see on</p> <p>10      the screen on my workstation.</p> <p>11      <b>Q.</b> And in the Debt Master program?</p> <p>12      A. Yes.</p> <p>13      <b>Q.</b> Okay. Thanks. So earlier when you</p> <p>14      testified that you have access to the name, phone</p> <p>15      numbers, Social Security numbers; is this what you</p> <p>16      see on the program?</p> <p>17      A. This is the exact information I would</p> <p>18      have access to seeing.</p> <p>19      <b>Q.</b> Do you make these account activity</p> <p>20      comment notes?</p> <p>21      A. No.</p>	<p style="text-align: right;">Page 20</p> <p>1       <b>Q.</b> Did you receive any training materials?</p> <p>2       A. They are kept in binders at our</p> <p>3       station.</p> <p>4       <b>Q.</b> When was there a training specific to</p> <p>5       the Fair Credit Reporting Act that you received at</p> <p>6       Ability Recovery Services?</p> <p>7       A. We have all received training at</p> <p>8       Ability Recovery Services that identifies each layer</p> <p>9       of your job, what specific role that you have, access</p> <p>10      to the specific documents, fair credit reporting</p> <p>11      practices, what's required for you to adhere to.</p> <p>12      <b>Q.</b> Is it your understanding that Ability</p> <p>13      Recovery Services has no choice but to report an</p> <p>14      account that it is collecting?</p> <p>15      MR. METCHO: I'm going to object</p> <p>16      to the form of the question. I'm also</p> <p>17      going to object to the question on the</p> <p>18      basis of attorney/client privilege, but</p> <p>19      you can answer if you are able.</p> <p>20      THE WITNESS: Okay.</p> <p>21      BY MR. GOLDSON:</p>
<p style="text-align: right;">Page 19</p> <p>1       <b>Q.</b> So none of this data was entered by</p> <p>2       you?</p> <p>3       A. Allow me to look specifically to</p> <p>4       ensure. No, nothing on here indicates that I typed</p> <p>5       or altered anything in this document.</p> <p>6       <b>Q.</b> Okay. Thank you.</p> <p>7       MR. GOLDSON: Mark this as two</p> <p>8       please.</p> <p>9       (Whereupon Exhibit 2 was marked</p> <p>10      for identification.)</p> <p>11      BY MR. GOLDSON:</p> <p>12      <b>Q.</b> So sorry, just give me one second. Are</p> <p>13      you familiar with the Fair Credit Reporting Act or</p> <p>14      FCRA?</p> <p>15      A. For the most part I would imagine, yes.</p> <p>16      <b>Q.</b> How did you become familiar with the</p> <p>17      Fair Credit Reporting Act?</p> <p>18      A. Through training.</p> <p>19      <b>Q.</b> Through training with your current</p> <p>20      employer Ability Recovery Services?</p> <p>21      A. Yes.</p>	<p style="text-align: right;">Page 21</p> <p>1       <b>Q.</b> Would you like me to repeat that?</p> <p>2       A. Please.</p> <p>3       <b>Q.</b> Is it your understanding that Ability</p> <p>4       Recovery Service has no choice but to report the</p> <p>5       accounts that it is collecting to credit reporting</p> <p>6       agencies?</p> <p>7       A. That I don't know.</p> <p>8       <b>Q.</b> Are you saying you don't know whether</p> <p>9       or not Ability Recovery Services is required to</p> <p>10      report?</p> <p>11      A. I don't know what that process entails.</p> <p>12      <b>Q.</b> Do you know when Ability Recovery</p> <p>13      Services reports accounts to a credit reporting</p> <p>14      agency?</p> <p>15      A. I do not.</p> <p>16      <b>Q.</b> Are you familiar with the Fair Debt</p> <p>17      Collection Practices Act?</p> <p>18      A. I heard the terminology.</p> <p>19      <b>Q.</b> Did you receive any training on the</p> <p>20      Fair Debt Collection Practices Act?</p> <p>21      A. I imagine I received training for my</p>



<p style="text-align: right;">Page 22</p> <p>1 role.</p> <p>2 <b>Q. Did you receive any training</b></p> <p>3 <b>materials --</b></p> <p>4 A. I couldn't recall.</p> <p>5 <b>Q. Let me just finish the question for the</b></p> <p>6 <b>record. Did you receive any training materials for</b></p> <p>7 <b>the Fair Debt Practices Collection Act?</b></p> <p>8 A. I couldn't recall.</p> <p>9 <b>Q. Do you know what a trade line is?</b></p> <p>10 A. No.</p> <p>11 <b>Q. What would you call the information</b></p> <p>12 <b>that Ability Recovery Services reports to the credit</b></p> <p>13 <b>reporting agencies?</b></p> <p>14 A. What would I call the information that</p> <p>15 Ability Recovery Services reports to?</p> <p>16 <b>Q. Credit reporting agencies. Credit</b></p> <p>17 <b>reporting agencies are Experian, Equifax, TransUnion,</b></p> <p>18 <b>those are the three major ones.</b></p> <p>19 A. What they report to them?</p> <p>20 <b>Q. Yes.</b></p> <p>21 A. I wouldn't know what the terminology</p>	<p style="text-align: right;">Page 24</p> <p>1 <b>Do you have the ability to determine</b></p> <p>2 <b>for Ability Recovery Services that a caller does not</b></p> <p>3 <b>in fact owe the money that the caller is calling</b></p> <p>4 <b>about?</b></p> <p>5 A. Do I have a way to report that?</p> <p>6 <b>Q. Do you have the ability to determine</b></p> <p>7 <b>for your employer that this caller does not owe the</b></p> <p>8 <b>money?</b></p> <p>9 A. No.</p> <p>10 <b>Q. Okay. If you don't have that ability,</b></p> <p>11 <b>who at Ability Recovery Services does have that</b></p> <p>12 <b>ability to determine that?</b></p> <p>13 A. That I don't know.</p> <p>14 <b>Q. Okay. Do you remember the call with</b></p> <p>15 <b>Crystal Long?</b></p> <p>16 A. I do.</p> <p>17 <b>Q. You do. Do you recall that she called</b></p> <p>18 <b>for two accounts?</b></p> <p>19 A. No, I don't recall.</p> <p>20 <b>Q. Okay.</b></p> <p>21 A. I would be going based on guessed</p>
<p style="text-align: right;">Page 23</p> <p>1 is, no, I wouldn't.</p> <p>2 <b>Q. For the purposes of this deposition I'm</b></p> <p>3 <b>going to call that a trade line.</b></p> <p>4 A. That's what's reported to the credit</p> <p>5 reporting agency, that's what it's referred to it as?</p> <p>6 <b>Q. Yes.</b></p> <p>7 A. Okay.</p> <p>8 <b>Q. As far as you know can Ability Recovery</b></p> <p>9 <b>Services request that a credit reporting agency</b></p> <p>10 <b>delete a trade line?</b></p> <p>11 A. Delete a trade line, how so? I don't</p> <p>12 understand.</p> <p>13 <b>Q. Okay.</b></p> <p>14 A. Delete in what fashion, like?</p> <p>15 <b>Q. Delete, to make disappear.</b></p> <p>16 A. Just to say remove this?</p> <p>17 <b>Q. Yes.</b></p> <p>18 A. Not that I'm aware of.</p> <p>19 <b>Q. Do you have the ability to determine</b></p> <p>20 <b>whether or not Ability Recovery Services -- or I'm</b></p> <p>21 <b>sorry, let me repeat the question.</b></p>	<p style="text-align: right;">Page 25</p> <p>1 memory. I don't think I can specifically. If you</p> <p>2 can help me recall, perhaps that would be something.</p> <p>3 <b>Q. Okay. I'll just show you two</b></p> <p>4 <b>collection letters that Ability Recovery Services</b></p> <p>5 <b>sent to Crystal Long.</b></p> <p>6 A. Okay.</p> <p>7 <b>Q. And these are the accounts that she was</b></p> <p>8 <b>calling for. Actually let me just, to make it easier</b></p> <p>9 <b>this is the front of the pages.</b></p> <p>10 A. Okay.</p> <p>11 <b>Q. So do you recall the plaintiff Crystal</b></p> <p>12 <b>Long calling you about both of these accounts?</b></p> <p>13 A. I recall her calling me about her</p> <p>14 concern on receiving information from us or how I</p> <p>15 believe it is we're on her credit report.</p> <p>16 <b>Q. Okay. For the record, one of these</b></p> <p>17 <b>collection letters from Ability Recovery Services</b></p> <p>18 <b>reflects a balance of \$74 and the other collection</b></p> <p>19 <b>letter shows a balance of \$1,125. So when Crystal</b></p> <p>20 <b>Long called you, were you able to resolve either of</b></p> <p>21 <b>these accounts?</b></p>

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1 A. How so?

2 **Q. By making the status of the account not**

3 **collectible or determining she does not owe the**

4 **money.**

5 A. She called in to dispute the account

6 and it was placed under a dispute.

7 **Q. Were both accounts placed under a**

8 **dispute?**

9 A. That I don't recall.

10 **Q. Do you recall disputing both of these**

11 **accounts the same way?**

12 A. I don't dispute any accounts any

13 differently.

14 **Q. Okay.**

15 A. There's only one streamline process of

16 disputing an account.

17 **Q. Okay. How does that work?**

18 A. If the individual says I dispute the

19 validity of the account, I usually advise them

20 proactively review the credit report and dispute it

21 with the credit reporting agencies. I would label it

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1 **Q. Okay. Is that a part of your job now**

2 **as a supervisor?**

3 A. No.

4 **Q. Have you ever encountered any errors**

5 **regarding whom an account belongs to?**

6 MR. METCHO: I'm going to object

7 to the form of the question. You can

8 answer if you are able.

9 THE WITNESS: How so?

10 BY MR. GOLDSON:

11 **Q. Let me try to.**

12 A. If I may.

13 **Q. Sure.**

14 A. Someone will call in and say I have a

15 letter for an old tenant, they no longer live here,

16 so we'll mark it as a bad address and simply close it

17 as such, if that would help provide an example.

18 **Q. Have you ever encountered any errors in**

19 **the sense that a collection letter was sent to**

20 **somebody who doesn't actually owe that money?**

21 A. That, I'm not aware of that.

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1 as a disputed account that you're contesting the

2 validity of the balance or whatever the specific

3 reason is and just simply notate that within the

4 field and then proactively encourage them to dispute

5 with the bureaus as well.

6 **Q. Okay.**

7 A. So this information is then sent off to

8 whoever reviews that, I don't know, it's beyond me.

9 **Q. At Ability Recovery Services, when you**

10 **say sent off, you mean --**

11 A. I hit enter and once I close the -- I

12 apologize I interrupted you. I close the data, I

13 just send off and it deletes it off of my screen.

14 **Q. Okay. So with your position as a**

15 **collector you didn't have the ability to make a**

16 **determination for Ability Recovery Services that a**

17 **caller does not owe the money --**

18 A. No.

19 **Q. -- and therefore she will not be**

20 **pursued with any more calls or letters?**

21 A. It's not my job.

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1 **Q. Okay. If a consumer calls and they**

2 **dispute personal data information, do you have the**

3 **ability to change the personal data information that**

4 **Ability Recovery Services has in its system?**

5 A. No.

6 **Q. Do you know who does have that ability**

7 **at Ability Recovery Services?**

8 A. I do not.

9 **Q. Do you recall telling Crystal Long in**

10 **the phone call that she no longer had to pay the**

11 **smaller balance of \$74?**

12 A. No longer had to pay, I don't recall

13 that.

14 **Q. Do you know how Ability Recovery**

15 **Services' credit reporting process works after you**

16 **get a dispute call like the one from Crystal Long?**

17 A. No.

18 **Q. As a collector what is your**

19 **understanding of your duty under the Fair Credit**

20 **Reporting Act?**

21 A. In terms of what?



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1 MR. METCHO: I'm going to object  
2 to the question in terms of it could  
3 potentially seek information that's  
4 protected by the attorney/client  
5 privilege. But you can answer the  
6 question if you are able to.

7 THE WITNESS: I'm not sure what  
8 you mean.

9 BY MR. GOLDSON:

10 Q. Okay. Let me rephrase. Earlier you  
11 testified that you received Fair Credit Reporting Act  
12 training. What did that training entail?

13 A. That I couldn't recall off the top of  
14 my head to be quite honest with you. The Fair Credit  
15 Reporting Act as far as the information that -- I'm  
16 drawing a blank to be quite honest.

17 Q. Okay. That's fine. I have nothing  
18 further.

19 EXAMINATION BY MR. METCHO:

20 Q. I would like to ask you a couple  
21

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1 A. I advised her to dispute her -- what  
2 she received or what she had identified with the  
3 credit reporting agencies.

4 Q. And as a result of that call, did you  
5 take any steps regarding notifying your company  
6 Ability that Ms. Long disputed the account?

7 A. I followed procedure.

8 Q. What was the procedure?

9 A. I labeled the account as a dispute that  
10 she had identified that she wasn't agreeing with, you  
11 know, what we have in our office and labeled it as  
12 such and closed the file.

13 Q. Did you place any calls to Ms. Long at  
14 any point?

15 A. No.

16 Q. Did you receive any other calls from  
17 Ms. Long other than the one that you received in  
18 November of 2016?

19 A. No.

20 Q. Did you send any letters to Ms. Long?

21 A. No.

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1 follow-up questions. You testified in November of  
2 2016 you were a collector with Ability?

3 A. Yes.

4 Q. Okay. And you also testified as per  
5 the questions of counsel for plaintiff that you did  
6 recall having a conversation with the plaintiff in  
7 this matter Crystal Long?

8 A. Yes.

9 Q. And did you receive that call or did  
10 you place that call?

11 A. I received that call.

12 Q. Okay. And just in a general sense in a  
13 summary, what was discussed during that call?

14 A. She was concerned about information  
15 that had appeared on her credit report or letters  
16 that she received from us stating that she owed a  
17 balance.

18 Q. And did you make any recommendations to  
19 Ms. Long during that conversation?

20 A. I did.

21 Q. What was your recommendation?

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1 Q. Are you aware of any other individuals  
2 at Ability having any other conversation with  
3 Ms. Long?

4 A. No.

5 Q. Are you aware of any other individuals  
6 at Ability placing any calls to Ms. Long?

7 A. No.

8 Q. Are you aware of Ms. Long sending any  
9 letters to Ability disputing the debt or requesting  
10 validation of the debt?

11 A. No.

12 Q. I have nothing further.

13 MR. GOLDSON: I have nothing  
14 further either. Thank you.

15 (Whereupon the deposition was  
16 concluded at 10:31 a.m.)  
17  
18  
19  
20  
21

<p style="text-align: right;">Page 34</p> <p style="text-align: center;">1           <b>CERTIFICATE</b></p> <p>2</p> <p>3           I, Christine Messner, a Notary Public in and</p> <p>4           for Wyoming County, Pennsylvania, do hereby certify</p> <p>5           that the deposition was reported in machine</p> <p>6           shorthand by me, that the said witness was duly</p> <p>7           sworn/affirmed by me, that the transcript was</p> <p>8           prepared by me or under my supervision and</p> <p>9           constitutes a complete and accurate record of same.</p> <p>10</p> <p>11           I further certify that I am not an attorney</p> <p>12           or counsel of any parties, nor a relative or</p> <p>13           employee of any attorney or counsel connected with</p> <p>14           the action, nor financially interested in the</p> <p>15           action.</p> <p>16</p> <p>17</p> <p>18</p> <p>19           _____ Christine Messner</p> <p>20</p> <p>21</p>	<p style="text-align: right;">Page 36</p> <p>1           Dear Sir or Madam:</p> <p>2</p> <p>3           Bound herewith is the transcript of the</p> <p>4           above-referenced deposition. Please read the</p> <p>5           transcript and sign the errata pages. Any</p> <p>6           additions or corrections should be listed on the</p> <p>7           errata sheets provided. Please remove the signed</p> <p>8           completed errata sheets, and return them to the</p> <p>9           address listed above for processing.</p> <p>10</p> <p>11           If this process has not been completed</p> <p>12           within (30) thirty days from the date of this</p> <p>13           letter, we will assume that the right to read the</p> <p>14           deposition has been waived. This is in accordance</p> <p>15           with Rule 30(e) of the Federal Rules of Civil</p> <p>16           Procedure and Rule 2-415 of the Maryland Rules of</p> <p>17           Procedure.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>
<p style="text-align: right;">Page 35</p> <p>1           <b>AL BETZ &amp; ASSOCIATES, INC.</b></p> <p>2           Administrative Offices</p> <p>3           P.O. Box 665</p> <p>4           Westminster, Maryland 21158</p> <p>5           VOICE - (410)752-1733 FAX - (410)875-2857</p> <p>6           E-mail- productiondept@albetzreporting.com</p> <p>7           www.albetzreporting.com</p> <p>8</p> <p>9           DATE: March 8, 2018</p> <p>10          JOB NUMBER: 180222key_(1)carlson_mark</p> <p>11          CASE CAPTION: Crystal Long v. Pendrick Capital</p> <p>12          COURT: US District Court, District of Maryland</p> <p>13          CASE NUMBER: 8:17-CV-1955-GJH</p> <p>14          DEPONENT: Mark Carlson</p> <p>15          DATE OF DEPOSITION: February 22, 2018</p> <p>16          ATTORNEYS/FIRMS:</p> <p>17          Ingmar Goldson, Esq. / The Goldson Law Office</p> <p>18          Ronald M. Metcho, Esq. / Marshall Dennehey</p> <p>19</p> <p>20</p> <p>21</p>	<p style="text-align: right;">Page 37</p> <p>1           <b>READING &amp; SIGNING PROCEDURE</b></p> <p>2</p> <p>3           The Deposition of Mark Carlson, taken in</p> <p>4           the matter, on the date, and at the time and place</p> <p>5           set out on the title page hereof.</p> <p>6           It was requested that the deposition be</p> <p>7           taken by the reporter and that same be reduced to</p> <p>8           typewritten form.</p> <p>9           It was agreed by and between counsel and</p> <p>10          the parties that the Deponent will read and sign</p> <p>11          the transcript of said deposition.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p>

Mark Carlson  
2/22/2018

11 (Pages 38 to 39)

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## 1 DEPOSITION ERRATA SHEET

2 RE: Al Betz &amp; Associates, Inc.

3 FILE NO.: 180222key\_(1)carlson\_mark

4 CASE CAPTION: Crystal Long v. Pendrick Capital

5 DEPONENT: Mark Carlson

6 DEPOSITION DATE: February 22, 2018

7 I have read the entire transcript of my  
 8 Deposition taken in the captioned matter or the  
 9 same has been read to me. I request that the  
 10 changes noted on the following errata sheet be  
 11 entered upon the record for the reasons indicated.

12 I have signed my name to the Errata Sheet and  
 13 authorize you to attach it to the original  
 14 transcript.

15 PAGE/LINE CHANGE REASON

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

20 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

21 Mark Carlson

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1 PAGE/LINE CHANGE REASON

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19 \_\_\_\_\_

20 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

21 Mark Carlson

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